



TECHNICAL BULLETIN

October 11, 2021

Required Testing and Action Limits for Marijuana Products Containing Delta-8 THC

The state of Michigan recently passed legislation that amends the Michigan Regulation and Taxation of Marihuana Act (MRTMA), the Medical Marihuana Facilities Licensing Act (MMFLA), and other statutes to include Delta-8 THC in the definition of marijuana. Therefore, the production, distribution, and sale of Delta-8 THC products will now be regulated by the Marijuana Regulatory Agency (MRA).

Effective October 11, 2021, testing for Delta-8 THC is required for all marijuana products.

Table 1. Action Limits for Delta-8 THC by Product Type

Product Type	Action Limit
Concentrates & Vapes	Delta-8 concentration cannot exceed 10%
Infused Products	Delta-8 cannot exceed 10% of the total Delta-9 THC that is permitted to be contained within the product. Additionally, the Total THC cannot exceed the maximum THC limits.

Concentrates

The concentration of Delta-8 cannot exceed 10% within any concentrate product.

Infused Products

The concentration of Delta-8 cannot exceed 10% of the total Delta-9 THC that is permitted to be contained within the product, with a Total THC not to exceed the already prescribed maximum limits. Please refer to [this bulletin](#) regarding maximum THC limits for more information on determining the maximum amount of Delta-8 THC in a given product type.

Example: Adult-Use limit for infused edible products is 100 mg THC.

- The maximum limit of Delta-8 for each container is 10 mg, and the product must follow all guidelines for homogeneity so that the Delta-8 is evenly distributed throughout the product.
- Therefore, the product may only contain 90mg of Delta-9 for a Total THC of 100mg.

Equation for calculation of Total THC, when including Delta-8:

This technical bulletin does not constitute legal advice and is subject to change. It is intended to provide a technical clarification only to the Marijuana Regulatory Agency's Administrative Rules. Licensees are encouraged to seek legal counsel to ensure their operations comply with the Administrative Rules. More information on the MRA can be found at the agency's [website](#).



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Total THC where M is the mass or mass fraction of Delta-9 THC, Delta-8 THC and/or Delta-9 THC-A

$$\text{Total THC} = M_{(d8THC)} + M_{(d9THC)} + [0.877 \times M_{(d9THCA)}]$$

All testing panels in the statewide monitoring system will be updated to include the required additional tests. Any product which exceeds the allowable limits will be entered in the statewide monitoring system as a failed test.

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